

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**GARY D. MERRYMAN, et al.,**

**Plaintiffs,**

**v.**

**JPMORGAN CHASE & CO., et al.,**

**Defendants.**

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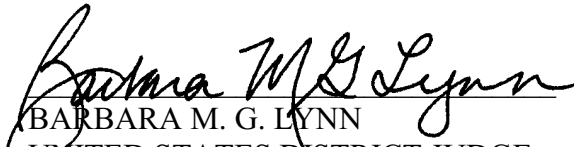
**Civil Action No. 3:12-CV-2156-M(BH)**

**ORDER ACCEPTING FINDINGS AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

After reviewing the Findings, Conclusions, and Recommendation of the United States Magistrate Judge for plain error, I am of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court.

Accordingly, *Defendants' Motion to Dismiss Plaintiffs' Original Petition and Application for Temporary Restraining Order and Temporary Injunction*, filed July 13, 2012 (doc. 4) is **GRANTED**. By separate judgment, Plaintiffs' claims against Defendants for wrongful foreclosure, violation of the DTPA, violation of the TDCPA, and unjust enrichment, as well as their claim for attorney's fees for breach of contract, will be dismissed with prejudice for failure to state a claim upon which relief can be granted.

**SIGNED** this 11<sup>th</sup> day of February, 2013.

  
BARBARA M. G. LYNN  
UNITED STATES DISTRICT JUDGE  
NORTHERN DISTRICT OF TEXAS